

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 03, 2020

SEAN F. McAVOY, CLERK

U.S.A. vs. Jim, Tyler Clint Docket No. 0980 1:19CR02024-SAB-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda Leavitt, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Tyler Clint Jim, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke, sitting in the court at Yakima, Washington, on the 10th day of July 2019, under the following conditions:

Standard Condition #9: Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

Special Condition #7: Defendant shall be subject to portable Breathalyzer testing up to six times per day. The portable Breathalyzer testing unit shall be set up and paid for by the defendant. Until the device is activated, defendant is required to report for daily testing with the Probation Office, at the discretion of the Probation Officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #3: Tyler Clint Jim is alleged to have consumed marijuana on or about January 23, 2020.

On July 11, 2019, the conditions of pretrial release supervision were reviewed and signed by Mr. Jim. He acknowledged an understanding of his conditions, which included standard condition number 9.

On January 30, 2020, the below said officer received results from a random urine sample collected at Merit Resource Services dated January 23, 2020, reflecting a positive reading for marijuana. The below said officer also received an admission/denial report reflecting Mr. Jim denying the marijuana use.

Violation #4: Tyler Clint Jim is alleged to have skipped his required Breathalyzer testing on January 31, 2020, between 7 a.m. and 8 a.m.

On July 11, 2019, the conditions of pretrial release supervision were reviewed and signed by Mr. Jim. He acknowledged an understanding of his conditions, which included special condition number 7.

On July 12, 2019, confirmation was received from Smart Start indicating the defendant enrolled in their Breathalyzer testing program.

On January 31, 2020, this officer received the daily testing summary report from Smart Start regarding Breathalyzer results for the above-noted day. The summary reports indicated the defendant skipped his Breathalyzer test during the 7 a.m. to 8 a.m. testing period on January 31, 2020.

This officer contacted Mr. Jim on January 31, 2020, asking why he skipped his Breathalyzer test. Mr. Jim stated, "I was busy getting ready for work and someone syphoned gas out of my car. I was trying to get to work but my uncle had my truck and I forgot until I walked back into the house".

Re: Jim, Tyler Clint

February 3, 2020

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PRAYING THAT THE COURT WILL INCORPORATE THE ABOVE ALLEGATIONS WITH THE PETITION
CURRENTLY PENDING BEFORE THE COURT

I declare under the penalty of perjury
that the foregoing is true and correct.

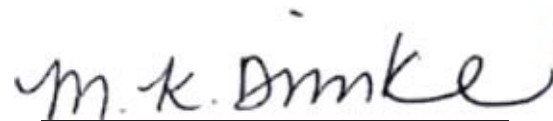

Executed on: February 3, 2020

by s/Linda J. Leavitt

Linda Leavitt
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

2/3/2020

Date